

# **Fremont Zoning Ordinance**

## **SHORT NOTES**

### **Subject To:**

Building Code = NH State Building Code Art V Sec 1:

International Building Code (ICC) 2009 Edition

International Plumbing Code (ICC) 2009 Edition

International Mechanical Code (ICC) 2009 Edition

International Residential Code (ICC) 2009 Edition

International Energy Conservation Code ICC 2009 Edition

National Electric Code NFPA70 2011 Edition

(and subject to NH Amendments to the building codes)

State Fire Code SAF-C 6000 (and to include)

Life Safety Code = NFPA Section 101 - 2009 Edition

Uniform Fire Code = NFPA 1 – Edition 2009

National Fuel Gas Code = NFPA 54 – 2002 Edition

Chimneys/Fireplaces and Solid Fuel = NFPA 211 – 2010 Edition

Oil Burners = NFPA 31 – 2001 Edition

LP Gas Code = NFPA 58

Other codes as may be referenced within the above. Other codes and regulations as applicable through other state agencies or by reference in other codes. Example: State Fire Code, regulations through Department of Environmental Services, and codes through reference – example: NFPA 101 makes numerous references to other NFPA codes.

### **Districts:**

Flexible Land Use District – Art XVIII

Commercial Highway District – Art XVIII

Corporate Commercial District – Art XVIII

Open Space Preservation District – Art XVIII

Home Occupation Standards – Art XVIII

Wetland and Watershed Protection Districts - Art IX

Flood Plain Development Ordinance – Art X

FIRM Map – Effective Date of revised mapping - May 2005

Aquifer Protection District - – Art XI

Water Resource Map 2004 (or most recent Master Plan Water Resources Map).

Fremont Village District Ordinance – Art XIII

Elderly Open Space Housing Ordinance – Art XVI

### **Additional Regulations:**

Excavation Regulations

Subdivision Regulations

Site Plan Review

Personal Wireless Services Facilities – Art XV

In-Law Accessory Apartment – Art IV-A

### **Impact Fees**

New Development subject to Impact Fees at the time of Building Permit.

## **General**

Each dwelling = Minimum ground area of 600 sq ft and 150 square feet per occupant - Art V Sec 2

No lot shall have more than one dwelling unit - Art IV – Sec 3

All multi-family (greater than 2 dwelling units) require Site Plan Review – Art IV – Sec 10

In-law Accessory Apartments allowed by Special Exception – Art IV - A

Occupied structures not to exceed 2 1/2 stories or not greater than 35 ft in height - Art V Sec 3

No wood shingles except in repair of existing - Art V - Sec 5

Number of bedrooms per family unit - see table - Art V - Sec 6

Conversions of existing structures to multi-family - must meet all requirements - Art V - Sec 9

All driveways must have permit prior to start of work - may be required to be altered - Art V - Sec 11

All Gravel operations require permits - Art V-A

Small accessory buildings 100 ft or less do not require building permit - Art V - Sec 8

No new junk yards in any part of town without Board of Selectmen Approval - Art II Sec 2

Signs: see Art XIX

All mfg housing certified as US Department of Housing & Urban Development (HUD) – Art III Sec 5-C

Any non-conforming structure completely or substantially destroyed may be replaced with similar within one year Art III – Sec 1-A

Any structure destroyed by fire....etc may be rebuilt within 1 year - Art V - Sec 7 – except non-conforming  
Non-conformance and >50% rebuilt to current construction standards Art V - Sec 7

Expansion of non-conforming use is prohibited except by variance – Art III Sec 1-B

Factors providing for expansion of non-conforming use provided by special exception – Art III Sec 1-C

No new or expansions of manufactured housing parks – Art III – Sec 5-1

Manufactured housing allowed on individual lots when compliant with – Art III – Sec 5-2

Temporary placement of manufactured housing is under the jurisdiction of Selectmen – Art III – Sec 5-3

Zoning Districts & Maps: see Art XVIII

**Every Lot:**

No lot shall be less than 2 acres Art IV Sec 3

Except as grand-fathered - provide that they meet the requirements in effect at the creation of the lot. See tables - Art IV - Sec 9

2 Acres = ~87,120 sq ft 1 Acre = ~43, 560 sq ft

Wetlands may not be used to satisfy minimum lot size - Art IX Sec F-3

Wetlands are excludable as build-able. Art IV Sec 6

Except in Aquifer Protection District - lot size is 3 acres/130,680 sq ft - Art XI - Sec E1

One acre of contiguous land, build-able, excluding wetlands Art 4 Sec 6

See also Open Space Preservation District for requirements when non-traditional subdivision

Multi-family lot size is 2 acres plus 12,000 sq ft if less than 5 units and 2 acres plus 20,000 sq ft if equal to or greater than 5 units - Art IV Sec 3

Except in Aquifer Protection District - Multi-family lot size is 3 acres plus 12,000 sq ft if less than 5 units and 3 acres plus 20,000 sq ft if => 5 units Art XI Sec E5

Special exception required for multi-family when in Aquifer Protection District

No lot may have more than one occupied dwelling. Art IV Sec 3

Maximum occupied lot area not greater than 30%. Art IV Sec 5

Except in Aquifer Protection District the lot coverage is not greater than 10%. Art XI Sec E3

Each dwelling unit must be provided with 1 1/2 parking areas. Art IV Sec 4

Parking areas must be 12 x 20 ft. Art IV sec 4

At least one acre of each lot must be build-able (upland) and not have slopes exceeding 20%. Art IV Sec 6

Wetland may not be used to satisfy minimum lot size requirements. Art IX – Sec F-3

**Set Backs:**

New Lots & new additions (extensions)

Street Property Line 50 Ft. Art IV Sec 1

Multi-family 50 feet plus 5 multiplied by the number of family units

Side and Rear Lot Lines 30 Ft. Art IV Sec 1

Multi-family 30 feet plus 10 multiplied by the number of family units

Except as grandfathered - provide that they meet the requirements in effect at the creation of the lot. See tables - Art IV Sec 9

No dwellings, structures, parking areas in watershed protection. Art IX Sec F-4

### **Frontage:**

Street 200 ft minimum contiguous frontage. Art IV - Sec 2

Except for exterior side of curving streets the frontage can be not less than 100 ft provided that the average width of the lot across its center is 200 ft.

Except as grand-fathered - provide that they meet the requirements in effect at the creation of the lot. See tables - Art IV Sec 9

Multi-family frontage is 200 ft plus 20 ft if < 5 units and 200 ft plus 40 ft is >=5 units

### **Waste Disposal Systems**

See Waste Disposal Application Form – Fremont

Septic - tank, leach fields, etc

All occupied dwellings shall be equipped with state approved septic. Art V Sec 4  
Department of Environmental Services Chapter ENV-WS 1000

Test Pit inspection requires certified soil scientist or other approved official. Art IV Sec 8

All sanitary systems 30 feet from any lot line. Art IV Sec 8

All sanitary systems outside of wetlands 100 ft. Art IV Sec 8

All sanitary systems not within 100 ft of water supply. Art IV Sec 8  
Or if lot is prior to 3/5/74 shall be exempt from Art IV Sec 8 so long as they meet specifications of State of NH Water Supply and Pollution Control Commission. Art IV Sec 9

No waste disposal located closer to 100 ft from wetland. Art IX Sec 3 F1

No waste disposal located within a watershed protection district - this affects the total setback from wetlands. Art IX Sec 3 F2

Special flood hazard areas sewer systems must have provisions for protections. Art X Item III B

Within Aquifer - systems shall be designed by Sanitary Engineer licensed in NH and installed under the supervision of said Engineer - and Planning Board's agent shall also inspect installation prior to covering. Must be designed by most recent edition of State of NH Subdivision and Individual Sewage Disposal System Design Rules. Art XI Sec E6

No filling of wetlands to minimum distance of septic to wetlands. Art XI Sec E6  
Seasonal high water table will be at least 2 feet below the original ground surface during all seasons of the year - rather than the normal 6 inches. Art XI Sec E6 and WS1015.01 (a).

Within the Aquifer, there shall be at least 3 ft of natural permeable soil (instead of 2) above any subsoil. Art XI Sec 6 and WS1015.01 (b).

Within the Aquifer, there shall be at least 4 ft of natural soil (instead of 3) above the bedrock. Art XI Sec E6 and WS1015.01 (b).

Within the Aquifer, more stringent standards of fill material are required for septic systems. Art XI Sec 6